

Application No. 10/750,381
Amendment dated
Reply to Non-Final Office Action dated May 28, 2008

REMARKS

Claims 31, 32, 36, 37, and 42 are now under consideration. Claims 1, 2, 4, and 13-18 are canceled in the present amendment. Claims 3, 5-12, 19-30, 33-35, and 38-41 were previously withdrawn from consideration. Claim 31 is currently amended.

A. Objection to the Specification

The Specification is objected to as failing to provide proper antecedent basis for the term "front half" in claims 1 and 31. To expedite allowance of the present application, claim 1 has been canceled, and the term "front half" has been deleted from claim 31.

B. Rejection of Claims 1, 2, 4, 13-18, 31, 32, 36, 37 and 42 under 35 U.S.C. § 112

Claims 1, 2, 4, 13-18, 31, 32, 36, 37 and 42 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. The Examiner alleges lack of support for the claim limitation "an absorbent pad located entirely with approximately a front half of the garment" in claims 1 and 31. To expedite allowance of the present application, claim 1 has been canceled, and the above-quoted limitation has been deleted from claim 31.

C. Rejection of Claims 31, 32, 36, and 42 under 35 U.S.C. § 102

Claims 31, 32, 36, and 42 stand rejected under 35 U.S.C. § 102 as being anticipated by Coates (U.S. Patent Application Publication No. 2003/0216705).

Claim 31 has been amended to recite that "the at least one posterior support strap includes a frangible line of weakness comprised of perforations to allow disconnection of the absorbent composite from the garment shell." Support for this amendment appears in paragraph [89] of the specification. Applicants believe that claim 31 as now amended, and claims 32, 36, and 42 which depend therefrom, are patentable over Coates and Yamamoto.

D. Rejection of Claims 1, 2, 4, 13-18, and 37 under 35 U.S.C. § 103

Claims 1, 2, 4, 13-18, and 37 stand rejected as being unpatentable over Coates ('603) in view of Yamamoto et al. (U.S. Patent No. 5,700,256).

Application No. 10/750,381
Amendment dated
Reply to Non-Final Office Action dated May 28, 2008

Claim 1, 2, 4, and 13-18 have been canceled. Claim 37 is believed to be patentable over Coates and Yamamoto at least for depending from claim 31, currently amended as described above.

E. Conclusion

For the reasons stated above, it is respectfully submitted that all of the claims now under consideration are in form for allowance.

Please charge any prosecutorial fees which are due to Kimberly-Clark Worldwide, Inc. deposit account number 11-0875.

The undersigned may be reached at: 920-721-7844

Respectfully submitted,

MATTHEW T. FITTON

By:


H. Michael Kubicki

Registration No.: 51,235

CERTIFICATE OF TRANSMISSION

I, Judy L. Halbrook, hereby certify that on September 26, 2008, this Amendment is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (571) 273-8300.

Typed or printed name of person signing this certificate:

Judy L. Halbrook

Signature:

